

Name of Practice: SOD WATERWAY
DCR Specifications for No. WP-3

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's sod waterways practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

A natural or constructed waterway shaped or graded and established in suitable vegetation, to safely convey water across areas of concentrated flow.

To improve water quality by reducing the movement of sediment and nutrients from agricultural non-point sources.

B. Policies and Specifications

1. Cost-share and tax credit are authorized for site preparation, grading, shaping, filling, and establishing permanent vegetative cover.
2. Cost-share is also authorized for permanent fencing, subsurface drains or stone lined centers that are necessary for proper functioning of the waterways. If cost-share is provided for permanent fencing, livestock exclusion is required through the lifespan of the practice.
3. Livestock must be excluded after planting for a minimum of 12 months.
4. The cover may consist of sod-forming grasses, legumes, mixtures or grasses and legumes, or other types of vegetative cover that will provide the needed protection from erosion.
5. Close-sown small grains, annuals, or mulching may be used for temporary protection if followed by eligible permanent vegetative cover established by seeding or natural re-vegetation.
6. Soil loss rates must be computed for all applications for use in establishing priority considerations.
7. This practice is subject to NRCS Standard 412 Grassed Waterways, 342 Critical Area Planting, 382 Fence, 484 Mulching, 606 Subsurface Drain, 620 Underground Outlet. When a subsurface drain is used in conjunction with the practice, a wetlands determination shall be performed prior to installation.
8. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting

either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

1. A rate based on 75% of the cost of all eligible components has been established. Cost-share may be from state funds or a combination of state and other sources.
2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.
3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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